

1 PHILLIP A. TALBERT
2 United States Attorney
3 DAVID W. SPENCER
4 Assistant United States Attorney
5 501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900
5

6 Attorneys for Plaintiff
7 United States of America
8

9
10
11 IN THE UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,
14 v.
15 AARON IRIBE, and
DANIEL LOPEZ,
16 Defendants.

CASE NO. 2:21-CR-189-DJC
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER
DATE: November 9, 2023
TIME: 9:00 a.m.
COURT: Hon. Daniel J. Calabretta

17
18 STIPULATION

19 1. By previous order, this matter was set for status on November 9, 2023.

20 2. By this stipulation, defendants now move to continue the status conference until
21 December 14, 2023, at 9:00 a.m., and to exclude time between November 9, 2023, and December 14,
22 2023, under Local Code T4.

23 3. The parties agree and stipulate, and request that the Court find the following:

24 a) The government has represented that the discovery associated with this case
25 includes approximately 148 pages of reports, search warrants, and other documents, as well as
26 multiple audio and video recordings and the contents of seized cell phones. All of this discovery
27 has been either produced directly to counsel and/or made available for inspection and copying.

1 b) On October 11, 2022, defendant Daniel Lopez made his initial appearance in this
2 district and attorney Mark Reichel was appointed to represent him. ECF No. 59.

3 c) Counsel for defendants desire additional time to review this discovery, conduct
4 factual investigation, evaluate the charges and potential defenses, consult with their respective
5 clients, and otherwise prepare for trial.

6 d) In addition, counsel for defendant Lopez, Mr. Reichel, just completed a three-
7 week jury trial in Placer County, and has a significant personal matter to attend to in early
8 November.

9 e) Counsel for defendants believe that failure to grant the above-requested
10 continuance would deny them the reasonable time necessary for effective preparation, taking into
11 account the exercise of due diligence.

12 f) The government does not object to the continuance.

13 g) Based on the above-stated findings, the ends of justice served by continuing the
14 case as requested outweigh the interest of the public and the defendant in a trial within the
15 original date prescribed by the Speedy Trial Act.

16 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
17 et seq., within which trial must commence, the time period of November 9, 2023 to December
18 14, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
19 Code T4] because it results from a continuance granted by the Court at defendant's request on
20 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
21 best interest of the public and the defendant in a speedy trial.

22 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
23 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
24 must commence.

25 IT IS SO STIPULATED.

1 Dated: November 1, 2023

PHILLIP A. TALBERT
United States Attorney

5 Dated: November 1, 2023

6 /s/ DAVID W. SPENCER
7 DAVID W. SPENCER
8 Assistant United States Attorney

9 Dated: November 1, 2023

10 /s/ Jennifer Mouzis
11 Jennifer Mouzis
12 Counsel for Defendant
13 AARON IRIBE

14 Dated: November 1, 2023

15 /s/ Mark Reichel
16 Mark Reichel
17 Counsel for Defendant
18 DANIEL LOPEZ

19 **ORDER**

20 IT IS SO FOUND AND ORDERED this 1st day of November, 2023.

21 /s/ Daniel J. Calabretta
22 THE HONORABLE DANIEL J. CALABRETTA
23 UNITED STATES DISTRICT JUDGE